

MINUTES OF THE REGULAR MEETING OF THE TOOELE COUNTY BOARD OF COMMISSIONERS HELD JULY 21, 2015

Chairman Bitner called the meeting to order at 7:00 p.m. The time, place and agenda of the meeting had been provided to the Tooele Transcript Bulletin and to each member of the governing body by delivering copies of the notice and agenda at least two days before to each of them.

1. PLEDGE OF ALLEGIANCE. The Pledge of Allegiance was offered by Jerry Edwards.

2. ROLL CALL. The Clerk called the roll which showed Commissioners Wade Bitner, Chairperson, Shawn Milne and Myron Bateman present. Also present were Scott Shields, Deputy County Attorney and Marilyn Gillette, Clerk/Auditor. Attorney Scott Broadhead was excused.

3. MINUTES. Commissioner Bateman moved to approve the minutes from the Commission Meeting held July 7, 2015. Commissioner Milne seconded the motion. All concurred.

4. CONSENT AGENDA. Commissioner Milne moved to approve the Consent Agenda as presented. Commissioner Bateman seconded the motion. All concurred.

Invoices. A) Warrants issued July 2, 2015 in the amount of \$820,105.66. Check #151988 thru #152108; B) Warrants issued July 9, 2015 in the amount of \$191,811.97. Check #152109 thru #152267.

Tax Adjustments. A) Gergory Durman, Parcel #16-029-0-0320. Retro 10% Vet for 2014. Relief amount \$403.53; B) Linda Hammond, Transaction #19UUA86249A000498. Owner paid for the taxes on May 29, 2015 and then sold her car two days later. Relief amount (\$80.00); C) David Alfred, Transaction #46YHG382X61077859. Owner re-newed horse trailer on June 20, 2015 and then sold trailer July 2, 2015. Relief amount (\$15.00); C)

Ratifications: A) Fire Protection Mutual Aid Agreement Between Tooele County and U.S. Army Garrison Dugway Proving Ground; B) Dispatch Services Agreement Between Tooele County and Bureau of Land Management; C) Dispatch Services Agreement Between Tooele County and Ambulance Service of Tooele, LLC; D) Dispatch Services Agreement Between Tooele County and Wendover Ambulance Services; E) Consultant Agreement - Tooele County Traffic Impact Fee Support; F) Amendment #10 to Contract between Jvation, Inc. and Tooele County - Wendover Airport - Taxiway A1 Rehabilitation; G) State of Utah Contract, Department of Agriculture - Predator Control Damage FY2016.

Contract Review. None

5. DECISION ON APPEAL OF PUD 2015-05 - PRELIMINARY APPROVAL FOR NORTHPORT VILLAGE PUD PHASE 3. Shane Maycock submitted a petition with 77 signatures to the Commission. The description on the petition states:

"We, the under-signed residents of Delgada Lane, Hereby urge the Commission to hold that the Planning Commission and its staff deprived such residents of their rights to

notice and opportunity to be heard on the change of use of Delgada Lane and Pegueno Road from a local road into a collector through Schooner Lane and Bayshore Blvd.-in violation of state law, local ordinance and constitutional due process."

He asked that the Commission take the petition under consideration. The Commission asked if the developer was in favor of the alternate plan. James Doolan, developer, stated they would lose the premium on 3 lots with the alternate plan. That does not make it an acceptable change for the company. The earliest this would become a thru road would be April 15th of 2016. Shane stated thru the course of this project they have only been given the crash gate and the connection alternate plans. There are so many different ways of doing this if they have the opportunity to look at other ways. Blaine Gehring, Planner, stated, the County Ordinance requires any subdivision over 40 lots to have two accesses. Shane said they put public input on the phase that had the cul-de-sac, after that there has been no public input, but there have been design changes.

Commissioner Bateman stated the developer has met all of the codes and requirements, so he doesn't see how they can approve this appeal. Commissioner Milne agreed, he made a motion to deny the appeal. Commissioner Bateman seconded the motion. All concurred.

6. **2014 INDEPENDENT AUDIT REPORT.** Mike Ulrich and Heather Christopherson, Ulrich and Associates, presented the 2014 Independent Audit. John Adams, Audit Committee Chairman, commended the Commissioners on the success of their restructuring. He urged them to continue forward cautiously and commended them for following the recommendations of the independent audit from last year and the audit committee's recommendations. It took multiple years to get into trouble, it's going to take multiple years to get out. Commissioner Milne moved to accept the 2014 Independent Audit. Commissioner Bateman seconded the motion. All concurred.

7. **LETTER REQUESTING APPROVAL OF ADDITIONAL FUNDING FROM THE TOURISM TAX ADVISORY BOARD GRANT MONEY TO TOOELE CHAMBER OF COMMERCE AND TOURISM.** Commissioner Milne referenced a letter from the Tourism Tax Advisory Board recommending approval of an additional \$45,000 to be awarded to the Tooele County Chamber of Commerce and Tourism. This includes \$15,000 for additional brochure updating and printing and \$30,000 for additional work by "At Your Leisure" tourism organization. Commissioner Bateman moved to approve. Commissioner Bitner seconded the motion. Commissioners Bateman and Bitner voted yes. Commissioner Milne recused himself because he sits on the Tourism Tax Advisory Board. The motion carried.

8. **CONTRACT WITH THE STATE OF UTAH, ATTORNEY GENERAL'S OFFICE, FOR THE CHILDREN'S JUSTICE CENTER PROGRAM FUNDING.** Scott Shields, Attorneys Office, stated this is a long standing contract. The Children's Justice Center is ninety percent funded by the Attorney General's office. The only change in this year's contract is the length from one year to five years. Funding is relatively consistent, within 1-2%. Commissioner Milne moved to approve the contract as stated. Commissioner Bateman seconded the motion. All concurred.

9. **DECLARATION OF COUNTY-OWNED PROPERTY AS SURPLUS AND NOTICE OF DEADLINE FOR BIDS - MILLER MOTORSPORTS PARK.** Commissioner Milne stated this is one of the steps in moving forward with the sale of the Miller Motorsports Park. Commissioner Milne moved to approve. Commissioner Bateman seconded the motion. All concurred.

10. **BOARD OPENINGS.**
A) Lake Point Cemetery and Park District - 3 Positions - Open until filled.

11. **BOARD APPOINTMENTS.** None

12. **DISCUSSION OF SALARY ADJUSTMENT FOR COUNTY COMMISSION.**

Commissioner Bitner stated, the Commission is serving the people and their object and goal is to serve the people the best way they can. Although a resolution was approved in the last meeting, it has not been signed, hence the discussion in tonight's meeting. It would be better if the Commissioners salary adjustment were held until another time, so they will go forward with the 3% COLA. Since 2001 there has been no adjustment in Commissioners salaries. In 2010 it was determined the Commissioners should be full time positions. In order to accomplish the things they are trying to do, they need to work full time. The transition is appropriate but it takes time for people to understand that. They want to be able to offer a salary to those who would be elected that is equal to the other elected officials.

Commissioner Bateman stated after the last meeting, they discussed the increase with other counties and their peers, and felt that this was not the appropriate thing to do at this time.

Commissioner Milne stated the average time he spends per week is 53 hours, it is his full time job. He thanked his fellow Commissioners for this decision.

13. **PUBLIC CONCERNS.** Troy Young, small business owner in Tooele, you have an infrastructure, that's all you have. You are asking for a 24% increase when 3-5% is the standard increase. He has to produce before he gets a raise.

Erik Gumbrecht, Tooele City citizen, came with the intent to listen more than to speak. He is pleased that they're taking the increase back to the 3%. He doesn't know with assurity, however, that it's for all of the right reason. Saying they are at part time pay is disingenuous. Compare counties of the same class, that is the same pay as full time employee's. A lot of people worked hard to get them into office. He feels like their skill set to do this job well is there. The thing that hurts the most is that they want to raise the pay before they leave. They are more interested in the money. They made the right decision with the COLA but he feels like he wants the type of leadership that Ralph Waldo Emerson talks about, that virtue is enough. You knew what the pay would be when you took this position and you knew it was full time. Going forward he asked that they think about representation and accept the responsibilities for what they took. He challenged them to do that. Commissioner Bitner would like to have this increase in place when they go out of office. Erik appreciated the comment, the position attracts high quality talent, he doesn't feel there needs to be this huge bump in pay to attract talent. He'd rather people took the job on principle and operate on the pay to get the county in the right position.

Jerry Edwards stated there were qualified candidates in the last election. If there is a change it should be at the end of their term. Everyone who ran knew it was a full time position and what the pay was. He read that Commissioner Milne wants to donate his money to a charity. He should donate it back to the general fund, where it came from. You are making at least 40% more than the average wage. There are part time employee's that should be getting a subsidy because they get paid so little.

Jeff McNeill, unincorporated county, read in the Transcript Bulletin that Commissioner Bateman said the increase in salary would bring better candidates. He felt the Commissioners owed at least 8 people an apology. He could care less how many hours they work. He cares about what they have accomplished. Where are the promises that were made in the campaign? Show results before you ask for an increase in pay. Come back in a couple of weeks with an ordinance that says no County Commissioner can raise their own pay. He also felt that Commissioner Bateman's position is a full time position, rather than the part time position it was changed to a while ago.

Matt McCarty, unincorporated county, echoed what has been said before him. He felt the COLA increase is the right move rather than the raise they previously approved. To the interest of the county employees, in 2012 and 2013 the county employees took the brunt of the cuts. A lot of salaries, positions and benefits were cut. He doesn't know if

we are in a good enough fiduciary position to restore all of those things. It is a bit of an affront to those employee's. Do one better than just leave it aside for later, call a Public Hearing and rescind the salary increase you voted yourself. Bring it up when the Commissions performance and the county's financial performance may merit such a thing. Commissioner Bitner wanted the Commission position not to be one you have to be retired to run for. Matt felt the Commission office should not be a career position.

Commissioner Bitner didn't meant to imply that the candidates that were running were not good candidates. He does not have any concern with any of them running for this office.

Gordon Beals felt the Commissioner misspoke when he referred to better candidates filing for the position. He made an observation, when he comes before the Commission, every time he makes suggestions it's because he wants to help. There was a proposal put before the Commission to disregard what the Planning Commission recommended. They investigated it, debated among themselves, they should be commended for that. That's the way every decision should be made. His observation at the last Commission meeting was that they had already made up their mind. Before the last speaker sat down, they closed the Public Hearing, made the motion, seconded it and the decision was made. He suggested that they do what they did tonight with every decision. Put more thought to it. As the county employees we went out into the communities, we have taken a beating. Please slow down, think things through, listen to how it is going to sound and what you really mean. He wants free garbage pickup and is going to continue until everyone pays for their own garbage pickup. Commissioner Bitner stated he is working on it.

David Butterfield, citizen and employee, stated they are basically giving themselves raise. He's been denied two step raises because his prior boss did not appreciate him and his performance. He had to go beyond and above what the other guys were doing on their job descriptions. He was ridiculed and his director now and HR agreed that he deserved the two steps. HR came back to him and said one of the Commissioners denied it. Yet you are going to ask for a 24% raise? Just like the people getting the free garbage service worth \$35,000. The landfill is the lowest paid in the county. They said they would fix it, they haven't seen anything. The 3% is across the board for every county employee, but there are other things going on that you need to see and figure out how to deal with.

Commissioner Bateman stated all of the landfill jobs are being reevaluated.

Vernon Dennon, Tooele County, agreed with the Commission making the decision to take a 3% cost of living raise and holding the other over to another date. He felt they should look seriously to tying the cost of living increase to that given to federal employees and social security. He asked if the audit is going to be on line. Yes it will. Have there been any bids or any information received on the MMP. Yes. A lot of work going on at DPC trying to create a parking area for Country Fan Fest. Will that parking be available for the County Fair? Commissioner Milne stated if they can get that kind of draw he would love to see it used. Vernon would love to run for County Commissioner. He could exist on what they make now, however, he doesn't have the thousands of dollars it costs to run for the office.

Scott Peck, SL County, Utah Sport Bike Association, asked if the decision on Miller Motor Sportspark be made public sometime in the future. Are they still on track to make a decision by the end of the month? Attorney Shields stated they are still under negotiation so they are not able to give out any information right now. Commissioner Milne stated it is still the goal. Scott Peck stated time is of the essence for contracting for next year's races.

Joe Reedland, lived in the county for 14 years. He respects each of the positions and what they have to do. However, he thinks the fury you feel from in front of you is that

as of 2013 the median income for Tooele County was \$22,000 for an individual and \$61,000 for a household. Previously he had a great job and lost it, rather than asking for an increase he had to look for another job. What they are getting paid for the job they are doing, no matter how many hours they put it, the public want to know the job is being done.

Ken Aldredge, 16 year resident of Tooele County. The Transcript Bulletin and Utah's Right to Know, don't take into account what the county is putting into the employees for benefits. He'd like to see that changed. He applauded them for taking the COLA. If they don't keep it to the COLA, the people are going to feel very betrayed. If you come back later and try to slide it into budget, there will be problems.

Daniel Pacheco, born and raised in Tooele, served on school board with Commissioner Bateman. Let's see the budgeting skills they talked about all of the time. He complimented the people in attendance and the thousands that have commended on social media. The ship sunk a couple of years ago, but we went through a tough election year and all kinds of promises were made. We just wanted it fixed. I need to explain to my parents how they are going to pay their tax bill next year and then yes, the Commissioners are getting a raise. According to the audit report it is starting to work. The next thing, miscommunication, is a problem. Where are they communicating? The website has issues, what communications are taking place out there. Are they saying they are going to try to set a structure for a pay increase in a few years or is it postponed for a couple of months?

Susan Kroff, former employee, as she listened to a lot of the people, their concerns and what they propose, there is still a lot to be done. She believes that the increase they want to have needs to be put aside for quite a while. With a 3% raise that you are proposing for these employee's, they need a heck of a lot more than 3%. They work for you, they make you look good. She hopes they won't do what the last Commission did when the employee's voiced their opinion, they lost their jobs. They feel like they don't have a voice, that you are not listening to them, that you don't care. They deserved more than that, the community deserves more than that. You need to do a lot more than you have done in the last 6 months. How many trips have you gone on in the last 6 months? Appreciate the employee's that you have and listen to the comments that have been made tonight. You were elected to pull the county out of the hole they are in. What about the step increases they haven't got for many years.

Amy Reedling, Tooele County resident, we forget that the government is for the people and by the people. She has met with the Commissioners about some grievances, the advice that they were given were that her grievances were petty compared to what's going on in the world. She felt the raise in salaries is a petty issue in regards to the world and county issues.

Thomas Kariola, Stockton, thanked the Commissioners for reconsidering and saying they were wrong. When they were elected to office, the public trusted them to be good stewards of our tax dollars. A 24% pay increase breaks the trust. They are taking a small step to get it back, but it's been suggested several times that any pay increase beyond the COLA doesn't take effect until the next term. Are they willing to promise publically that any pay raises beyond COLA will not take effect until after their term is over? Commissioner Bateman stated if there is any pay increase it would be for the next people. That is his goal.

Ray Dixon, Tooele City, knows Commissioner Milne has heard this speech before but the others haven't. He worked at DCD and never made what you make now. He worked 22 hours of mandatory overtime each week for 33 years. He paid his house off in 11 years, everything he owns is paid for. Live within your means. Don't ask for a raise so you can travel the world, live within your means.

Pamela Sandberg, born and raised in Tooele County, moved to Grantsville and the "T" on

the mountain beckoned her home. She loves this county and that is why she came back. She ran into a girl who said her father use to serve on the Commission. Her father did not accept reimbursement for his gas, didn't go to meetings because he didn't want to take money away from the county. She hopes that they love this county and that's what they are doing on that bench, serving because they love Tooele County. Not because they want to make more money. She can see the improvements going into DPC to save the place for posterity. It is the best thing that has happened to Tooele. She hopes if they ever wonder why you're doing that job, look up at that "T". It means the world to everyone who grew up here. She had such high hopes when they took office. However, when she saw the 24% increase she was very angry. She voted in every election, people died so she could do that. Money is nothing, she loves this place and hopes they will work for the county and not for the money they are going to make.

Robert Colatter, brand new resident, came because she wanted to see what kind of place she's chosen to live in. Comes from a similar town. Moved here because her grandchildren moved here. She felt she's seeing a working Commission that responds to it's citizens.

Crystal Hovey is so grateful that they have made this move tonight. She was so hurt when she heard the news. It's been hard to admit they were wrong, but they did it. She has faith in their abilities. She really believes that this Commission can raise the county from where they are at.

John Beagley, Tooele City, helped elect everyone. The people expect everything to be fixed within 6 months. That can't be done. They all have people in mind and have the right opinion. He feels assured that they will do that. All this haranguing they have had is called public clammer. He's certain they got the message and that they will do the right thing. He has faith and confidence in them to do it.

Commissioner Milne thanked the other Commissioners for their reversal this evening. Like Daniel Pacheco that thanked the audience, he's giving particular thanks to those who showed up and those who have reached out to the county. Reaching out to the Commission is helpful. Tonight is proof that this form of government works. We can only do our job when they have the public's feedback.

Commissioner Bateman said many people have alluded to the 5 year plan. We are working on those plans. We need your input. They are going after funding that will be available in 2020. Village Boulevard wasn't going to be done for several years, but they are going ahead due to health and safety. Your input helps them to know which roads need to be widened, where stop signs need to be put, etc.

Commissioner Bither thanked everyone for coming tonight. He echoed the plea for more engagement. If you're going to make a comment, please make a suggestion along with it. We depend on your eyes to see what's going on in the county because we can't be everywhere. They may have not done the right thing with the 24% raise, but they got the message.

14. **ADJOURNMENT.** Commissioner Milne moved to adjourn the meeting at 8:54 pm. Commissioner seconded the motion. All concurred.

THE FOREGOING MINUTES ARE HEREBY APPROVED:

ATTEST:

BY: *Marilyn K. Gillette*
MARILYN K. GILLETTE, CLERK/AUDITOR

BY: *Wade B. Bither*
WADE B. BITNER, CHAIRMAN

